IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE A.GOPAL REDDY**

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**WRIT PETITION NO : 14853 of 2004**

Between:

Mandava Venkata Ranga Rao, S/o. Mallikarjuna Rao,
R/o.D.No. 33-14-305, Allipuram, Visakhapatnam-530004.

**..... PETITIONER**

AND

1 The Vice Chairman, Visakhapatnam Urban Development Authority,
Siripuram, Vuda Buildings, Visakhapatnam.
2 Panchayat Secretary, Gram Panchayat, Lakshmipuram,
Pendurthi Mandal, Visakhapatnam District.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent interfering with the construction of the petitioner premises in Sy.No.75/12 of Lakshmipuram Village and Panchayat, Pendurthi Mandal, Visakhapatnam as Highly arbitrary and against the principles of natural justice and consequentially direct the respondents to follow due procedure established under law.

**Counsel for the Petitioner:MR.T.M.K.CHAITANYA**

**Counsel for the Respondent No.1: SMT.SUMALINI REDDY, Standing Counsel**

**Counsel for the Respondent No.2: SRI D.SRINIVAS, Standing Counsel**

**The Court at the stage of admission made the following ORDER:**

Petitioner, who claims to have been in possession of 580 sq.yards in Survey No.75/12 situated at Lakshmipuram Village, Pendurthi Mandal, Visakhapatnam District, obtained permission from second respondent-Panchayat Secretary, Gram Panchayat, Lakshmipuram, for construction of Ground + 2 floors. He started construction work in the light of the permission obtained from second respondent. At that stage, the officials of first respondent inspected the constructed area and threatened him to demolish the structures. Hence, the petitioner moved this Court by way of present writ petition.

The learned Standing Counsel appearing for first respondent, on instructions, submits that it is noticed that the plot, where the construction is now proceeded, is an irregular plot and also not having an approved layout. In view of the same, necessary inspection will be made in this week and only after such inspection and after giving an opportunity to the parties, necessary action will be taken as per law.

In view of the same, no further orders are required to be passed in the writ petition and it is suffice to say that without putting the petitioner on notice, the construction if any made, shall not be demolished.

The writ petition is accordingly disposed of. No costs.

23rd AUGUST, 2004.

Note: furnish c.c. in two days.

B/o

kvni

To

1 The Vice Chairman, Visakhapatnam Urban Development Authority, Siripuram, Vuda Buildings, Visakhapatnam.
2 Panchayat Secretary, Gram Panchayat, Lakshmipuram, Pendurthi Mandal, Visakhapatnam District.

3 Two CD copies.